United Nations A/CN.4/635/Add.1

General Assembly

Distr.: General
18 March 2011

Original: English

International Law Commission
Sixty-third session
Geneva, 26 April-3 June and 4 July-12 August 2011

Filling of casual vacancies in the Commission

Note by the Secretariat

Addendum

I. List of candidates

1. As at 17 March 2011, the name of the following candidate had been submitted for the seat which has become vacant as a consequence of the death of Ms. Paula Escarameia:

Ms. Concepción Escobar Hernández (Spain)

2. The curriculum vitae of the above candidate is contained in section II below.

II. Curriculum vitae

[Original: Spanish]

Concepción Escobar Hernández (Spain)

Born in Madrid on 22 December 1959

Married

Qualifications and education

First degree in Law from the Complutense University of Madrid (1981)

Doctorate in International Law from the Complutense University of Madrid (1987)

Specialization Course in Human Rights, Human Rights Institute of the Complutense University of Madrid (1981-1983)

Postgraduate Studies at the Graduate Institute of International and Development Studies, Geneva (1983-1984)

11-26845 (E) 240311

Please recycle

Professional experience

Positions held

Legal Adviser, Director of the International Legal Department of the Ministry of Foreign Affairs and Cooperation (since June 2004)

Professor (*Catedrática*) of public international law at the National University of Distance Education (UNED) (since October 2001)

"Jean Monnet" Professor of European Union law, at UNED (European Commission) (since 2004)

Lecturer on research into peace, security and defence at the General Gutiérrez Mellado University Institute (UNED) (since 2002)

Lecturer at the Spanish Red Cross Centre for International Humanitarian Law Studies (CEDIH) (since 1999)

Lecturer of international law and human rights at the Spanish Diplomatic School (since 1996)

Professor (*Catedrática*) of public international law at the University of Cantabria (1995-2001)

"Jean Monnet" Professor of European Union law at the University of Cantabria (1996-2002)

Professor (*Profesora Titular*) of public international law at the Complutense University of Madrid (1991-1995)

Lecturer at the Institute of Human Rights at the Complutense University of Madrid (1987-1997)

Member of the Spanish International Humanitarian Law Commission (since its establishment in 2008)

Senior positions held

Director of the International Legal Department of the Ministry of Foreign Affairs and Cooperation (since June 2004)

Dean of the Faculty of Law at the National University of Distance Education (UNED) (2002-2004).

Director of the Department of Public International Law at the National University of Distance Education (UNED) (2002)

Director of the Department of Public Law at the National University of Distance Education (UNED) (2001)

Director of the Department of Public Law at the University of Cantabria (1996-2001)

General Secretary of the Human Rights Institute at the Complutense University of Madrid (1990-1992)

Secretary of the Department of Public International Law and Private International Law at the Complutense University of Madrid (1989-1992)

Membership in professional associations and on boards of professional publications

Member of the *Asociación Española de Profesores de Derecho Internacional y Relaciones Internacionales* (Spanish Association of Professors of International Law and International Relations) (since 1982). Member of its Board of Directors (1986-1993)

Member of the *Asociación Española para el Estudio del Derecho Europeo* (Spanish Association for the Study of European Law) (since 1982). Member of its Board of Directors (since 1984)

Member of the Advisory Board of the *Revista General de Derecho Europeo* IUSTEL (General Review of European Law) (since 2002)

Member of the Editorial Board of the *Revista Española de Derecho Militar* (Spanish Military Law Review) (since 2003)

Member of the Editorial Board of the *Revista Española de Derecho Internacional* (Spanish Review of International Law) (1997-2003) and responsible for the section on Spanish jurisprudence relating to public international law (2001-2005)

Academic activities

In the various academic posts that she has held to date, she has taught the subjects of public international law, European Union law, international peacekeeping and security, international protection of human rights, international criminal law and international jurisdiction, at first degree, doctorate and postgraduate level.

She has supervised five completed doctoral theses and is supervising another four that are still being written.

She has participated in numerous research projects related to public international law (as principal researcher or a member of the research team).

She has taught postgraduate courses at various universities in Spain and abroad.

She has participated as a guest speaker at various international conferences including the following: *Federación Internacional de Derecho Europeo* (FIDE) (International Federation of European Law) (Stockholm, 1998), European Society of International Law (ESIL) (Paris, 2006) and the 2010 session of the International Law Association Conference (ILA) (The Hague, 2010).

She has been consistently involved in various training programmes organized by the International Commission of Jurists in Latin America (international protection of human rights and international protection of the rights of indigenous peoples) (1992-1997).

She participated in the United Nations technical assistance programme for Equatorial Guinea (1995).

She sits on assessment panels for doctoral theses, in Spain and abroad.

She sits on selection panels for professorships in public international law, in Spain and abroad.

Other law-related activities

As Director of the International Legal Department (*Asesoría Jurídica Internacional*), she is responsible for issuing opinions on all matters relating to public international law, at the request of the Ministry of Foreign Affairs and Cooperation and other Ministries and national Government bodies.

Similarly, she is competent to decide matters of public international law as they relate to other Spanish public entities (particularly with regard to the signature of memorandums of understanding by the autonomous communities, town/city councils and other local bodies, as well as by other Spanish public bodies and entities).

She provides Spain's legal position in the various international bodies specialized in international law of which it is a member.

Areas of academic specialization

International courts and tribunals

International human rights law

International criminal law

Peacekeeping

International organizations

European Union law (general and institutional)

Activity in the field of international law (international tribunals, organizations and conferences)

Representative of and lawyer for the Kingdom of Spain at the advisory proceedings before the International Court of Justice on the "Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo" (2008-2010)

Agent of the Kingdom of Spain before the International Tribunal for the Law of the Sea in Case No. 18, *M. V. Louisa (Saint Vincent and the Grenadines v. Kingdom of Spain)* (2010-)

Member of the Permanent Court of Arbitration (since 2008)

Chair of the drafting committee of the Review Conference on the Rome Statute of the International Criminal Court (Kampala, 2010)

Member of the Spanish delegation to the Sixth Committee of the United Nations General Assembly (since 2004)

Member of the Committee of Legal Advisers on Public International Law (CAHDI), Council of Europe (since 2004)

Vice-Chair of CAHDI since 1 January 2011 (elected at the Tromsø session, September 2010)

Member of Working Party on International Public Law (COJUR), Council of the European Union (since 2004)

Member of Working Party on the International Criminal Court and other international criminal tribunals (COJUR-CPI), Council of the European Union (since 2004)

Head or Deputy Head of the Spanish delegation to the Assembly of States Parties of the International Criminal Court (2004-2010)

Member of the Spanish delegation to the Assembly of States Parties of the International Criminal Court (2002 and 2003)

Member of the Spanish delegation to the Preparatory Commission for the International Criminal Court (2000-2002)

Member of the Spanish delegation to the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court (1998)

Member of the Spain-Morocco Working Group on maritime delimitation and cooperation on the Atlantic seaboard (since 2004)

Member of the Spain-Algeria Working Group on maritime delimitation (since its creation in 2007)

Publications (select)

Books, manuals and papers

La Comision de Derechos Humanos de Naciones Unidas y la violación de derechos humanos y libertades fimdamentales. Estudio de los procedimientos públicos especiales, Editorial de la Universidad Complutense de Madrid, Madrid, 1988

El recurso por omisión ante el Tribunal de Justicia de las Comunidades Europeas, Editorial Civitas, Madrid, 1993

Instituciones de Derecho Comunitario (Dir.), Tirant lo blanc, Valencia, 2006

M. Díez de Velasco, *Instituciones de Derecho Internacional Público* (Chapters XXVII, XXVIII and XXXVIII; part of chapters XXV and XXVI. Editorial Tecnos, Madrid (latest edition: 17th, 2009)

M. Díez de Velasco, *Las Organizaciones Internacionales* (Chapter XIV; part of chapters XXI and XXXI. Editorial Tecnos, Madrid (latest edition: 16th, 2010, compiled by José Manuel Sobrino Heredia)

M. Díez de Velasco, C. Escobar Hernández and N. Torres Ugena, *Código de Organizaciones Internacionales*, Editorial Aranzadi, Navarra, 1997

Extranjería e Inmigración en España y la Unión Europea (Ed.), Madrid, 1998

La Unión Europea en el siglo XXI: los retos de Niza (Ed.), Madrid, 2003

Los derechos humanos en la sociedad internacional del siglo XXI (Dir.), Diplomatic School Collection Nos. 15 and 16, Madrid, 2009

Articles and collaborations in collective works

"*Ejecución en España de las sentencias del Tribunal Europeo de Derechos Humanos*", in *Revista Española de Derecho Internacional*, 1990/2, pp. 547-570

"*Un nuevo paso en la protección internacional de la libertad de pensamiento, conciencia y religion: el procedimiento público especial de la Comisión de Derechos Humanos de Naciones Unidas*", in *Anuario de Derecho Eclesiástico del Estado*, 1990, pp. 87-128

"*Asylum and refugee status in Spain*", in *International Journal of Refugee Law*, vol. IV, 1992, pp. 55-70

"*Problemas planteados par la aplicación en el ordenamiento español de la Sentencia Bultó (Comentario a la sentencia del Tribunal Constitucional español 245/1991, de 16 de diciembre)*", in *Revista de Instituciones Europeas*, 1992/1, pp. 139-163

"*El Convenio de Aplicación del Acuerdo de Schengen y el Convenio de Dublin: una aproximación al asilo desde la perspectiva comunitaria*", in *Revista de Instituciones Europeas*, vol. 1993/1, pp. 53-100

"*Las Salas ad hoc del Tribunal Internacional de Justicia*", in *Hacia un nuevo orden internacional y europeo. Homenaje al Profesor Manuel Diez de Velasco*, Editorial Tecnos, Madrid, 1993, pp. 291-317

"*La aplicación de los tratados en España*", in *Cuadernos de Derecho Judicial. Cuestiones prácticas de Derecho Internacional Público y Cooperación Jurídica Internacional*, Consejo General del Poder Judicial, Madrid, 1994, pp. 39-90

"*Comunidad Europea y Convenio Europeo de Derechos Humanos: ¿el fin de una vieja polémica? (comentario al dictamen 2/94 del TJCE de 28 de marzo de 1996)*", in *Revista de Instituciones Europeas*, 1996, vol. 1996/3, pp. 817-838

"*Paz y derechos humanos: una nueva dimensión de las operaciones para el mantenimiento de la paz*", in *Cursos de Derecho Internacional de Vitoria-Gasteiz*, 1997, pp. 47-102

"*Le citoyen, l'administration et le droit européen. Rapport national espagnol*", in *XVIII Congrès FIDE*, Stockholm, 1998, vol. III, pp. 152-198

"*Extranjería y ciudadanía de la Unión Europea*", in *Extranjería e Inmigración en España y la Unión Europea*, Diplomatic School Collection No. 3, 1998, pp. 101-126

"*La progresiva institucionalización de la jurisdicción internacional: la Corte Penal Internacional*", in *Crimen internacional y jurisdicción internacional. El caso Pinochet*, M. García Arán and D. López Garrido (coord.), Tirant lo blanc, Valencia, 2000, pp. 225-273

"*El Estatuto de Roma de la Corte Penal Internacional*", in *Hacia una Justicia Internacional*, Ministry of Justice/BSCH/Civitas, Madrid, 2000, pp. 504-524

"*Las relaciones de la Corte Penal Internacional con las Naciones Unidas*", in *Creación de una jurisdicción penal internacional*, F. J. Quel López (coord.), Diplomatic School Collection, No. 4, Madrid, 2000, pp. 31-44

"*Algunas reflexiones sobre la Corte Penal Internacional como institución internacional*", in *Revista Española de Derecho Militar*, No. 75, 2000, pp. 171-203

"*El Tratado de Niza y la reforma futura de la Unión*", in *La Unión Europea tras la reforma*, M. Díez de Velasco (Ed.), Universidad de Cantabria, 2000, pp. 239-257

"*El principio de complementariedad*", in *La Justicia Penal Internacional: una perspectiva iberoamericana*, J. A. Yañez-Barnuevo (Coor.), Casa de América, Madrid, 2001, pp. 78-100

"*La cooperación judicial en la Unión Europea: marco general*", in *Espacio de Libertad, Seguridad y Justicia en la Unión Europea*, Ministry of the Interior/UNED, 2002, pp. 55-70

"*Corte Penal Internacional, Consejo de Seguridad y Crimen de Agresión: un equilibrio difícil e inestable*", in *El Derecho Internacional en los Albores del siglo XXI. Homenage al Prof. Castro-Rial*, Editorial Trotta, Madrid, 2002, pp. 197-218

"*Unión Europea, democracia y derechos humanos*", in *La Unión Europea en el siglo XXI: los retos de Niza*", C. Escobar Hernández (ed.), official record of the 19th conference of the *Asociación Española de Profesores de Derecho Internacional y Relaciones Internacionales*, Madrid, 2003, pp. 25-50

"*Veinticinco años de la Constitución de 1978: Aspectos internacionales*", in *Revista de Derecho Político*, Nos. 58/59, 2003/2004, pp. 833-852

"*Los derechos humanos en el Tratado por el que se establece una Constitución para Europa*", in *Derecho Internacional: Normas, hechos y valores. Liber Amicorum José Antonio Pastor Ridruejo*, Madrid, 2005, pp. 115-133

C. Escobar Hernández and J. A. Yañez-Barnuevo, "The International Criminal Court and the United Nations: A complex and vital relationship", in *Essays on the Rome Statute of the International Criminal Court (II)*, 2005

"*Derechos humanos y justicia internacional: los tribunales internacionales de derechos humanos*", in *La Paz y el Derecho Internacional. Tercer Encuentro de Salamanca*, Editorial Sistema, 2005, pp. 273-292

"*La cláusula europea en la Constitución española (algunas reflexiones para una eventual reforma constitucional*", in *El informe del Consejo de Estado sobre la reforma constitucional. Texto del informe y debates académicos*, F. Rubio Llorente and J. Alvarez Junco (eds.), Consejo de Estado/Centro de Estudios Políticos y Constitucionales, Madrid, 2006, pp. 483-499

United Nations A/CN.4/635/Add.2

General Assembly

Distr.: General
1 April 2011

Original: English

International Law Commission
Sixty-third session
Geneva, 26 April-3 June and 4 July-12 August 2011

Filling of casual vacancies in the International Law Commission

Note by the Secretariat

Addendum

1. Following the resignation from the International Law Commission of Mr. Bayo Ojo, on 25 March 2011, one seat on the Commission has become vacant.

2. In this case, article 11 of the Statute of the Commission is applicable. It prescribes that:

> "In the case of a vacancy, the Commission itself shall fill the vacancy having due regard to the provisions contained in articles 2 and 8 above".

Article 2 reads:

> "1. The Commission shall consist of thirty-four members who shall be persons of recognized competence in international law.
>
> "2. No two members of the Commission shall be nationals of the same State.
>
> "3. In case of dual nationality a candidate shall be deemed to be a national of the State in which he ordinarily exercises civil and political rights".

Article 8 reads:

> "At the election the electors shall bear in mind that the persons to be elected to the Commission should individually possess the qualifications required and that in the Commission as a whole representation of the main forms of civilization and of the principle systems of the world should be assured".

3. The term of the member to be elected by the Commission will expire at the end of 2011.

11-28677 (E) 040411

Please recycle